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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of
SASAKI, et al.

Confirmation No. 3428
Issue Fee Paid July 9, 2007

Appln. No.: 09/516,176
Filed: March 1, 2000

Attorney Docket: 46137
Group Art Unit: 1773
Examiner: Le, Hoa T.

Title: INK-JET RECORDING MATERIAL AND INK-JET RECORDING METHOD

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June 25, 2008

WITHDRAWAL FROM ISSUE
PETITION UNDER 37 CFR 1.313

Mail Stop: PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A Notice of Allowance issued in the subject application on April 13, 2007. The Issue Fee was accordingly paid on July 9, 2007, however, the patent has not yet issued.

A Decision from the PCT Legal Administration was issued on January 17, 2008, regarding issues arising under 35 USC 371. Accordingly to the Decision, the subject application was erroneously processed under 35 USC 111(a) and it has been forwarded to the Office of Patent Application Processing for processing under 35 USC 371 and further to issue a Notification of Missing Requirements requiring a new inventor's declaration, the original, incidentally, found to be faulty. To date, according to PTO electronic records via PAIR, nothing has happened since January, 2008, with the application still being processed and no Notification of Missing Requirements has issued.

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However, a Communication has issued during an opposition process concerning a European patent application that is counterpart to the present application. Two references have been cited in the European opposition that the applicants of the present application wish to have officially considered in the present application. Thus, in accordance with 37 CFR 1.313(c)(2), the applicants are filing a Request for Continued Examination (RCE) along with an Information Disclosure Statement (IDS) containing documents cited in the European opposition (the foregoing are attached hereto).

Accordingly, the applicants respectfully petition and request that the present application be withdrawn from issue immediately and the attached RCE with IDS be entered and considered. This Petition is being filed with the required fee (\$130.00) under 37 CFR 1.17(h) and the attached RCE is being filed under 37 CFR 1.114 with the required fee (\$810.00) under 37 CFR 1.17(e).

Grant of this Petition and entry of the attached RCE and IDS are respectfully requested.

Respectfully submitted,

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